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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

MARK KELLEY (DOC.# 304395)

DOCKET NO: 09-CV-1914; SEC. P

VERSUS

JUDGE DEE D. DRELL

JOHN LEMOINES, ET AL.

MAGISTRATE JUDGE JAMES D. KIRK

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including the objections filed by Petitioner, and having determined that the findings and recommendation are correct under the applicable law;

**IT IS ORDERED THAT** Petitioner's civil rights complaint be and is hereby **DENIED** and **DISMISSED WITH PREJUDICE** as frivolous and failing to state a claim for which relief can be granted pursuant to 28 U.S.C. §1915(e)(2)(b).

THUS DONE AND SIGNED at Alexandria, Louisiana, this 2 <sup>nd</sup>  
day of March, 2010.



DEE D. DRELL  
UNITED STATES DISTRICT JUDGE